5640332/2022/TAPPAL-REV01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Revenue Department - Sri D. Sudarsanam, the then Spl. Collector (LA), Polavaram Irrigation Project, Rajamahendravaram now retired - Initiation of disciplinary proceedings under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 - Articles of charge - Issued.

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REVENUE (VIGILANCE.I) DEPARTMENT

G.O.Rt.No.679 Dated:27-10-2021

Read:-

G.O.Ms.No.296, Revenue (Vigilance.I) Department., Dated.27.10.2021

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ORDER:

In pursuance of the sanction accorded by the Government under sub-clause (i) of clause (b) of sub-rule (2) of Rule 9 of the Revised Pension Rules, 1980 for instituting departmental proceedings against Sri D. Sudarsanam, the then Spl. Collector (LA), Polavaram Irrigation Project, Rajamahendravaram and now retired vide G.O. read above, it is proposed to hold an enquiry against Sri D. Sudarsanam, the then Spl. Collector (LA), Polavaram Irrigation Project, Rajamahendravaram now retired in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure- I). A statement of imputations of misconduct / misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charge proposed to be sustained are also enclosed (Annexures-III & IV).

3. Sri D. Sudarsanam, the then Spl. Collector (LA), Polavaram Irrigation Project, Rajamahendravaram now retired is directed to submit, within 10 days from the date of receipt of this order, a written statement of his defence.

4. Sri D. Sudarsanam, the then Spl. Collector (LA), Polavaram Irrigation Project, Rajamahendravaram now retired is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri D. Sudarsanam, the then Spl. Collector (LA), Polavaram Irrigation Project, Rajamahendravaram now retired is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above, further action will be processed based on the material available.

6. Attention of Sri D. Sudarsanam, the then Spl. Collector (LA), Polavaram Irrigation Project, Rajamahendravaram now retired is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri D. Sudarsanam, the then Spl. Collector (LA), Polavaram Irrigation Project, Rajamahendravaram now retired is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of the Order be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri D. Sudarsanam, the then Spl. Collector (LA), Polavaram Irrigation Project, Rajamahendravaram now retired (through the Chief Commissioner of Land Administration, A.P., Vijayawada.)
The Chief Commissioner of Land Administration, A.P., Vijayawada (with a request to serve the order on the individual and furnish served copy of this G.O. within a week).

Copy to:
The District Collector, West Godavari District, Eluru.
S.F./S.C.

// FORWARDED BY ORDER //

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI D. SUDARSANAM, THE THEN SPECIAL COLLECTOR (LA), POLAVARAM IRRIGATION PROJECT, RAJAMAHENDRAVARAM NOW RETIRED.

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Article of Charge

That the said Sri D. Sudarsanam, the then Special Collector (LA), Polavaram Irrigation Project, Rajamahendravaram and now retired has erroneously fixed Market Value against the provisions under Section 26 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act -2013 in Taduvai and Peddipalli Villages of Jangareddigudem Mandal and Guddigudem Village of Gopalapuram Mandal causing financial loss to a tune of Rs. 26.27 crores to the Government exchequer.

Being a responsible public servant, Sri D. Sudarsanam, the then Special Collector (LA), Polavaram Irrigation Project, Rajamahendravaram and now retired, ought to have maintained absolute integrity, discipline and impartiality in discharging his legitimate duty, but failed to do so, which is unbecoming and derogatory to the prestige of the Government. Thus, Sri D. Sudarsanam, the then Special Collector (LA), Polavaram Irrigation Project, Rajamahendravaram and now retired, by his above mentioned acts, has violated APCS (Conduct) Rules 1964.

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER //

SECTION OFFICER

ANNEXURE - II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOR IN SUPPORT OF ARTICLE OF CHARGE FRAMED AGAINST SRI D. SUDARSANAM, THE THEN SPECIAL COLLECTOR (LA), POLAVARAM IRRIGATION PROJECT, RAJAMAHENDRAVARAM AND NOW RETIRED.

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The Spl. Collector (LA) Polavaram Irrigation Project, Rajamahendravaram in his letter Dt. 23.05.2016 has submitted a detailed report on the irregularities noticed in erroneous fixation of Market Value in Taduvai and Peddipalli Villages of Jangareddigudem Mandal and Guddigudem Village of Gopalapuram Mandal where lands were acquired under Chintalapudi Lift Irrigation Scheme, which is as follows:

Taduvai village, Jangaraddigudem Mandal :

An extent of Ac.116.76 Cts was acquired for excavation of Main Canal and Distributaries under Chintalapudi Lift Irrigation Scheme in Taduvai Village of Jangareddigudem Mandal. There took place 16 sale transactions in the said village during the crucial period. But Sri K.Narendra Prasad, Special Deputy Collector (LA), RMC Unit-I, Kovvuru has submitted M.V. Proposals taking only 8 sale transactions into consideration thereby proposing market Value @ Rs.11,88,115/- per acre. Sri D.Sudarsanam the then Special Collector (LA), Polavaram Irrigation Project, Rajamahendravaram has approved the Market Value, draft awards and issued administrative sanction for payment of compensation. On receipt of the complaint, the Spl. Collector(LA) Polavaram Irrigation Project, Rajamahendravaram has asked the PAO, Eluru to stop the payment of bills pertaining to Taduvai Village as the market Value is not in accordance to the Rules. He has revised the Market Value as per norms and fixed @ Rs.8,09,553/- per acre. The act of Sri D.Sudarsanam, the then Special Collector (LA), Polavaram Irrigation Project, Rajamahendravaram and Sri K. Narendra Prasad, the then Special Deputy Collector (LA), RMC Unit-I, Kovvuru in erroneous fixation of Market Value would have resulted in monetary loss to a tune of Rs.11.25 crores to the Government exchequer

Peddipalli Village, Jangareddigudem Mandal:

An extent of Ac.6.26 Cts was acquired for excavation of Distributaries under Chintalapudi Lift Irrigation Scheme in Peddapalli Village of Jangareddigudem Mandal. The basic value of the lands under acquisition is Rs.4,00,000/- per acre. There took place 4 sale transactions in the said village during the crucial period. But Sri K.Narendra Prasad, Special Deputy Collector(LA), RMC Unit-I, Kovvuru has suppressed all the above facts with a malafide intention to hike the Market Value. He has submitted fake M.V. Proposals stating that there are no sale transactions in the said village and adopted irregularly fixed M.V.@Rs.11,88,115/- per acre in Taduvai Village stating it as neighboring village. Sri D. Sudarsanam, the then Special Collector (LA), Polavaram Irrigation Project, Rajamahendravaram has approved the Market Value, draft award and issued administrative sanction for payment of compensation. The payments to the ryoths were not made in Peddipalli Village. Since the average sale value and Basic value of the village is one and the same, the Market Value U/s 26 of the Act 30/ 2013 would be Rs.4,00,000/- per acre. The act of Sri D. Sudarsanam, the then Special Collector (LA), Polavaram Irrigation Project, Rajamahendravaram and Sri K.Narendra Prasad, Special Deputy Collector (LA), RMC Unit-I, Kovvur in erroneous fixation of Market Value would have resulted in monetary loss to a tune of Rs.1.25 crores to the Government exchequer.

Guddigudem Village, Gopalapuram Mandal:

An extent of Ac.76.10 Cts was acquired for excavation of main Canal and Stage-2 Pump House under Chintalapudi Lift Irrigation Scheme in Guddigudem Village Gopalapuram Mandal. There took place 77 sale transactions in the said village during the crucial period. 28 sale transactions that took place in House sites have to be discarded. Hence, the eligible sale transactions comes to 49. But, Sri K. Narendra Prasad, Special Deputy Collector (LA), RMC Unit-I, Kovvur has submitted M.V. Proposals taking only 6 sale transactions into consideration leaving the remaining 43 sales thereby proposing Market Value @ Rs.9,95,257/- per acre with a malafide intention to hike the Market Value. Sri D.Sudarsanam, the then Special Collector (LA), Polavaram Irrigation Project, Rajamahendravaram has approved the Market Value, draft awards and issued administrative sanction for payment of compensation. Accordingly, Sri K.Narendra Prasad, Special Deputy Collector (LA), RMC Unit-I, Kovvur has presented the bills and payment

(P.T.O)

was made to all the land owners. Taking all the 49 sale transactions into consideration, the average sale price would be @ Rs.3,20,924/- per acre. The act of Sri D. Sudarsanam, the then Special Collector (LA), Polavaram Irrigation Project, Rajamahendravaram and Sri K. Narendra Prasad, Special Deputy Collector (LA), RMC Unit-I, Kovvur in erroneous fixation of Market Value have resulted in monetary loss to a tune of Rs.13.77 crores to the Government exchequer.

S.No	Name of the village and Mandal	Details of average sales approved	Details as per average sales in original	Difference amount due to erroneous approvals	Total loss. to the State exchequer
1	Taduvai (V), Jangareddigudem (M), Ac. 116.76 cts	35,32,41,495/-	24,06,90,263/-	11,25,51,232/-	11.25
2	Peddipalli (V), Jangareddigudem Oil, Ac. 6.26 cts	1,88,55,646/-	63,48,084/-	1,25,07,562/-	1.25
3	Guddigudem (V), Gopalapuram(M), Ac. 76.10 *cts*	20,33,22,991/-	6,55,62,205/-	13,77,60,786/-	13.77
Total					26.27

Being a responsible Govt., servant, Sri D. Sudarsanam, the then Special Collector (LA), Polavaram Irrigation Project, Rajamahendravaram and now retired has erroneously fixed Market Value against the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act -2013 causing financial loss to a tune of Rs. 26.27 crores to the Government exchequer. This showed his gross negligence in discharging the legitimate duties.

Thus, Sri D. Sudarsanam, the then Special Collector (LA), Polavaram Irrigation Project, Rajamahendravaram and now retired by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government servant and thereby contravened under Rule 3 of A.P.C.S. (Conduct) Rules, 1964.

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER //

SECTION OFFICER

ANNEXURE - III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGE FRAMED AGAINST SRI D. SUDARSANAM, THE THEN SPECIAL COLLECTOR (LA), POLAVARAM IRRIGATION PROJECT, RAJAMAHENDRAVARAM AND NOW RETIRED ARE PROPOSED TO BE SUSTAINED.

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1. Ref.C1/313/2015, dated 23.05.2016 of the Special Collector (LA), Polavaram Irrigation Project, Rajamahendravaram.
2. Ref.B1/187/2013, dated 21.03.2016 of the Special Collector (LA), Polavaram Irrigation Project, Rajamahendravaram (Taduvai report)
3. Ref.C1/313/2015, dated 16.05.2016 of the Special Collector (LA), Polavaram Irrigation Project, Rajamahendravaram. (Peddipalli report)
4. Ref.C1/141/2012, dated 09.05.2016 of the Special Collector (LA), Polavaram Irrigation Project, Rajamahendravaram. (Guddigudem report)

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER //

SECTION OFFICER

ANNEXURE - IV

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGE FRAMED AGAINST SRI D. SUDARSANAM, THE THEN SPECIAL COLLECTOR (LA), POLAVARAM IRRIGATION PROJECT, RAJAMAHENDRAVARAM NOW RETIRED ARE PROPOSED TO BE SUSTAINED.

- Nil -

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER //

SECTION OFFICER